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DEPARTMENT

**Jenkens & Gilchrist**  
A PROFESSIONAL CORPORATION

2006 JAN 18 PM 4:27

US PATENT & TRADEMARK  
OFFICE

1445 ROSS AVENUE  
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DALLAS, TEXAS 75202

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January 12, 2006

MAIL STOP 16  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Re: REQUEST FOR REFUND  
Deposit Account No. 10-0447

Dear Sir/Madam:

Upon review of the Jenkens & Gilchrist monthly Deposit Account Statement for the month of December 2005 (copy attached), it is our belief that the following charge for a two month extension of time was made in error:

DATE	SEQ	POSTING REF TXT	DOCKET NO.	FEE CODE	AMOUNT
12/5/2005	2	10749020	61181-10USPX	1250	\$450.00

An amendment was filed on November 23, 2005 in response to the first Office Action dated August 25, 2005 in connection with U.S. Serial No. 10/749,020. A shortened statutory period for reply was set at 3 months from the mailing date of the Office Action. A copy of the Office Action Summary is enclosed for ready reference. Also enclosed is a copy of the return postcard which has the PTO's date-stamp of November 28, 2005. There accordingly should not have been a deposit account charge for a two month extension of time.

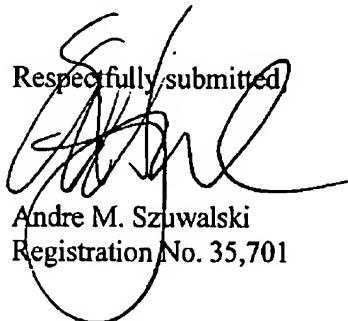
It is respectfully requested the Patent Office issue a refund in the amount of \$450.00 to the Jenkens & Gilchrist Deposit Account No. 10-0447.

**Jenkens & Gilchrist**  
A PROFESSIONAL CORPORATION

Refund Branch  
January 12, 2006  
Page 2

Please feel free to contact me if there are any questions.

Respectfully submitted,

  
Andre M. Szwalski  
Registration No. 35,701

AMS/mfb  
Enclosures

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Deposit Account Statement

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United States  
Patent and  
Trademark Office

USPTO Home Page  
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## Deposit Account Statement

Requested Statement Month: December 2005  
Deposit Account Number: 100447  
Name: JENKENS & GILCHRIST P.C.  
Attention: MICHAEL RITCHIE  
Address: 1445 ROSS AVENUE  
City: DALLAS  
State: TX  
Zip: 75202-2799  
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/01	104	10926490	27889-00069USC1	1806	\$180.00	\$40,692.00
12/02	1	10823257	68349-00011USP X	1202	\$1,000.00	\$39,692.00
12/02	2	10823257	68349-00011USP X	1252	\$450.00	\$39,242.00
12/02	17	PAYMENT		9203	\$4,325.00	\$34,917.00
12/02	27	PAYMENT		9203	\$23,832.00	\$11,085.00
12/02	75	11135115	61229-00004USC3	1464	\$130.00	\$10,955.00
12/02	91	11289750	64104-00002USP1	2011	\$150.00	\$10,805.00
12/02	92	11289750	64104-00002USP1	2111	\$250.00	\$10,555.00
12/02	93	11289750	64104-00002USP1	2311	\$100.00	\$10,455.00
12/02	1170	76597023		7003	\$200.00	\$10,255.00
12/05	1	10746878	61181-00009USPK	1252	\$450.00	\$9,805.00
12/05	2	10749020	61181-00010USPX	1252	\$450.00	\$9,355.00
12/05	5	10439982		8021	\$40.00	\$9,315.00
12/05	44	1241384	46715-1296	8521	\$40.00	\$9,275.00
12/05	45	1241384	46715-1296	8522	\$450.00	\$8,825.00
12/05	1131	60714717	65657-00009USPL	8021	\$40.00	\$8,785.00
12/05	1137	60714716	65657-00008USPL	8021	\$40.00	\$8,745.00
12/05	1151	60657235	65657-00005USPL	8021	\$40.00	\$8,705.00
12/05	1158	10520029	27793-00097USPX	8021	\$40.00	\$8,665.00
12/06	3	10700758	62318-00002	2251	\$60.00	\$8,605.00
12/06	14	10331052	WINTERS 001	2251	\$60.00	\$8,545.00
12/06	25	11019706	065119.0225	1501	\$1,400.00	\$7,145.00
12/06	26	11019706	065119.0225	1504	\$300.00	\$6,845.00
12/06	35	10822594	34650-00179USC3	1801	\$790.00	\$6,055.00
12/06	1276	78767250		7001	\$325.00	\$5,730.00
12/07	57	78375376	54357-00016	7004	\$300.00	\$5,430.00
12/07	231	60550658	27889-00083USPL	8021	\$40.00	\$5,390.00
12/07	238	60488709	27889-0050USPL	8021	\$40.00	\$5,350.00
12/07	1322	76519398	63060-00003	7004	\$150.00	\$5,200.00
12/07	1357	76460772	61873-00004	7004	\$150.00	\$5,050.00
12/08	1	11294653	53807-00134USPT	1011	\$300.00	\$4,750.00
12/08	2	11294653	53807-00134USPT	1111	\$500.00	\$4,250.00

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,020	12/29/2003	Cesare Clementi	61181-00010USPX	8433
23932	7590	08/25/2005	EXAMINER	
JENKENS & GILCHRIST, PC 1445 ROSS AVENUE SUITE 3200 DALLAS, TX 75202			CHEN, ERIC BRICE	
INTELLECTUAL PROPERTY			ART UNIT	PAPER NUMBER
AUG 29 2005			1765	
JENKENS & GILCHRIST				

Please find below and/or attached an Office communication concerning this application or proceeding.

\* DOCKETED  
Int: m PT: 8/29/05  
1st O.A.  
Action: Copy Date: 8/25/05  
Response due 11/25/05  
Deadline 2/26/06

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NOV 1 2005

BY G. CHRIST

**RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Via: First Class Mail	Dkt No: 61181-00010USPX
Mailed: November 23, 2005	AMS/mfb
Inventor(s): Cesare Clementi et al.	
Application No.: 10/749020-Conf. #8433	Filing Date: December 29, 2003
Title: METHOD FOR MANUFACTURING NON-VOLATILE MEMORY CELLS ON A SEMICONDUCTOR SUBSTRATE	

Documents Filed:

Amendment Transmittal

Amendment in response to the 1st Office Action dated Aug. 25, 2005

Acknowledgment postcard



DALLAS2 1135422v1 61181-00010USPX

DOCKETED

Att: DT-121105  
Action: 11/28/05 Date: 11/28/05

United States Patent and Trademark Office  
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18/05/2005 BHARRIS1 00000002 100447 10749020  
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Adjustment date: 01/25/2006 EEKUBAY1  
12/05/2005 BHARRIS1 00000002 100447 10749020  
01 FC:1252 450.00 CR